

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That **53 FED PARTNERS, LLLP**, whose legal address is 2921 W. 38th Avenue, Suite 343, Denver, Colorado, 80211, hereinafter called "Grantor", for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, and convey to the **COUNTY OF ADAMS, STATE OF COLORADO**, a body politic, whose address is 4430 South Adams County Parkway, Brighton, Colorado 80601, hereinafter "County", its successors and assigns, a permanent storm water drainage easement for the purpose of maintenance of all drainage facilities including inlets, pipes, culverts, channels, ditches, hydraulic structures, detention basins, catch grates, maintenance roads, etc., said easement to be used solely in the event Grantor fails to maintain such drainage facilities, together with lateral and subjacent support thereto as may from time to time be required on, over, across, and through the following described land to wit:

Legal description as set forth in Exhibits "A" attached hereto and incorporated herein by this reference.

Together with the right to ingress and egress over and across the land of Grantor by means of roads and lanes thereon if such there be; otherwise by such route as shall cause the least practical damage and inconvenience to the Grantor.

In further consideration hereof, Grantor covenants and agrees that no permanent buildings or structures will be placed, erected, installed or permitted upon said easement that will cause any obstructions to prevent the proper maintenance and use of said drainage facility.

In the event the County exercises its right to maintain the detention pond, all of the County's costs to maintain the detention pond shall be reimbursed by Grantor within thirty days of receiving the County's invoice, including any collection costs and attorney fees.

In further consideration of the granting of this easement, it is hereby agreed that all work performed by the County, its successors and assigns, in connection with this easement shall be done with care, and the surface of the property shall be restored to its original condition, or as close thereto as possible, except as necessarily modified to accommodate the facilities and appurtenances installed and any damages caused on said easement arising out of the reconstruction, maintenance and repair of said drainage facilities and appurtenances in the exercise of the rights hereby provided shall be restored reasonably similar to its original condition following completion of the work performed.

IN WITNESS WHEREOF, Grantor has hereto set his hand on this 8 day of March, 2021.

By: [Signature]
Print Name: _____

53 Fed Partners, LLLP
By: Transom West Development, LLC
General Partner

STATE OF COLORADO)
COUNTY OF Denver) §

The foregoing instrument was acknowledged before me this 8th day of March, 2021 by Hampton Barclay, as General Manager, of 53 Fed Partners, LLLP, By OF Transom West Development LLC, General Partner

IN WITNESS WHEREOF, I have hereto set my hand and official seal.

[Signature]
Notary Public

My commission expires: 9/25/2024

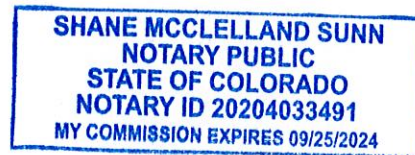


EXHIBIT A

A PARCEL OF LAND BEING A PORTION OF LOT 1, BERKELEY GARDENS NUMBER TWO – SECOND AMENDMENT, A SUBDIVISION FILED AT RECEPTION NO. 2020000038980 IN THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE; SITUATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS N00°20'19"W, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17; SAID BEARING IS AS PER THE PLAT OF SAID BERKELEY GARDENS NUMBER TWO – SECOND AMENDMENT.

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N03°12'25"E A DISTANCE OF 16.17 FEET TO THE POINT OF BEGINNING;

THENCE N00°20'19"W A DISTANCE OF 139.04 FEET; THENCE N89°39'41"E A DISTANCE OF 24.33 FEET; THENCE S00°20'19"E A DISTANCE OF 73.88 FEET; THENCE N89°39'41"E A DISTANCE OF 41.83 FEET; THENCE S00°20'19"E A DISTANCE OF 10.00 FEET; THENCE S89°39'41"W A DISTANCE OF 41.83 FEET; THENCE S00°20'19"E A DISTANCE OF 65.90 FEET; THENCE S89°39'41"W A DISTANCE OF 10.00 FEET; THENCE N53°29'14"W A DISTANCE OF 17.91 FEET TO THE POINT OF BEGINNING.

CONTAINING: 3986 SQUARE FEET, 0.092 ACRES, MORE OR LESS.

THIS LEGAL DESCRIPTION WAS PREPARED BY:
DON LAMBERT, PLS 30830
FOR AND ON BEHALF OF Esi land surveying, llc



SHEET 1 OF 2

*Esi land
surveying, llc*

*3531 S. Logan St. D-324
Englewood, CO 80113
Ph: 303-340-0113*

EXHIBIT A

PLOT 39

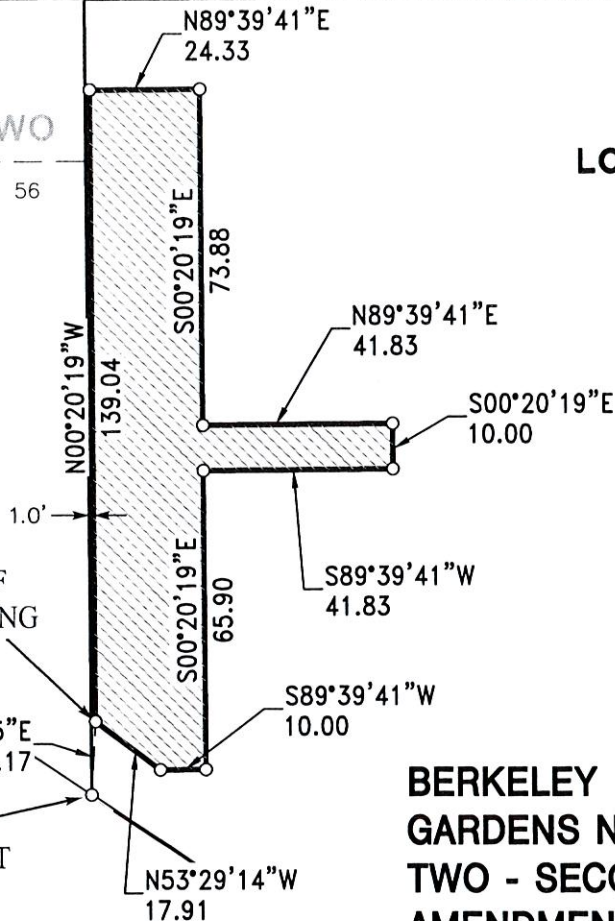
Scale: 1" = 40'

BERKELEY
GARDENS
NUMBER TWO

PLAT BK. 1, PG. 56

LOT 1

PLOT 40



FEDERAL BOULEVARD

(110' PUBLIC RIGHT OF WAY)

E'LY LINE NW¼, SEC. 17

BASIS OF BEARINGS

N00°20'19\"W

SHEET 2 OF 2

*Esi land
surveying, llc*

3531 S. Logan St. D-324
Englewood, CO 80113
Ph: 303-340-0113

DATE 8/5/20 PROJECT NO. 18-132

POINT OF
COMMENCEMENT

POINT OF
BEGINNING

REGIS ROAD
(40' PUBLIC RIGHT OF WAY)

LOT 5

RANNEY'S RESUBDIVISION OF
PLOT 41 BERKELEY GARDENS
NUMBER TWO

FILE 10, MAP 184

WEST 53rd AVE.
(VARIABLE WIDTH PUBLIC RIGHT OF WAY)

LOT 6

**BERKELEY
GARDENS NUMBER
TWO - SECOND
AMENDMENT**

REC. NO. 2020000038980